

REMARKS

This response is prepared in reply to the final Office action mailed on 4 April 2006 (Paper No. 20060328).

Status of Claims and Support for Claim Changes Under 37 C.F.R. §1.173(c)

Of all pending claims 1 through 54, claims 1 through 15 are original claims. Claims 3, 4, 7, 9, 16, 20, 23, 28, 31, 32 and 43 have been previously amended. No amendments are made to the claims by this Amendment.

Objection to the Specification

The Examining staff has again repeated its objection under 37 C.F.R. §1.75(d)(1) and MPEP §608.01(o), to the specification “as lacking antecedent basis.” Specifically, the Examining staff contends that the specification fails to describe “a controller regulating movement of said head based on at least one of said first data address mark and said second data address mark.” Although this objection is unfounded, is improper and should be withdrawn. Nevertheless, Applicant has amended the specification to incorporate the language required by the Examiner in Paper No. 20060328. Accordingly, the basis for this objection has been rendered moot.

Other issues raised in Paper No. 20060328 are addressed in a written response filed simultaneously with this Amendment. Based upon the foregoing removal of the basis for the objection, and the explanation set forth in the accompanying written response, all claims are deemed to be in condition for allowance. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

A petition for a three-month extension of time and an Applicant's check in the amount of \$1,020.00 drawn to the order of Commissioner (Check #51492), together with a Notice of Appeal and its requisite fee of \$500.00 (Check #51492) are being simultaneously filed with this Amendment After Final. Should the petition become lost, the Commissioner is requested to treat this paragraph as a petition for an extension of time, and should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

Respectfully submitted,



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